

Projects:

Parallel Pressure Reducing Valve, Project No. 7054
Well Upgrade Project, Project No. 7076
Hillside Water System Improvements, Project No. 7083

**AMENDMENT NO. 5 TO AGREEMENT
FOR CONSULTATION AND OTHER SERVICES**

This Amendment is entered into this 20th day of January, 2004, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Carollo Engineers, a Professional Corporation (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional services for Projects 7054, 7067, and 7083, on October 7, 1997; and

WHEREAS, the parties amended the Agreement to allow CONSULTANT to provide additional professional engineering construction support services for projects 7054 and 7083 on March 10, 1999; and

WHEREAS, the parties amended the Agreement to allow CONSULTANT to provide additional professional engineering services to drill a test well with subsequent conversion to a monitoring well necessary for the design of Project No. 7076 on June 1, 1999; and

WHEREAS, the parties amended the Agreement to allow CONSULTANT to provide additional professional engineering services for the design of a well building and site landscaping for Project No. 7076 on February 15, 2000; and

WHEREAS, the parties amended the Agreement to allow CONSULTANT to provide additional professional engineering services required to modify the Carollo Hillside Water System Improvement Plans in order to incorporate seismic design details and specifications for the Hillside Water System, Project No. 7083 on April 16, 2002; and

WHEREAS, the parties desire to amend the Agreement to allow CONSULTANT to provide additional professional engineering services to redesign the Well Upgrade project plans and specifications to accommodate the Valley Transportation Authority (VTA) BART right of way requirements, and for design services for a system monitoring station and to develop a pace system at the well tie-in location.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. The second sentence in Section 2, entitled "Term" is amended to read:

This agreement shall terminate on April 4, 2006, unless otherwise terminated or extended pursuant to this Agreement.

2. Section 3, entitled "Scope of CONSULTANT'S Duties and Services" is amended by adding Exhibit "A-5", entitled "Scope of Work".
3. Section 4, entitled " Payment by CITY: Time and Manner of Payment " is amended to add Exhibit "B-5", entitled "Compensation".
4. The Consultant agrees to maintain and pay for all insurance policies as stated in Section 12, entitled "Insurance" of the Agreement. The Consultant shall provide the City with renewal certificates of the current policies upon the expiration of the current policy.
5. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

City Engineer

CAROLLO ENGINEER, PC

City Manager

City Attorney as to Form

ATTESTED BY:

City Clerk

**City of Milpitas
Curtis Park Well Pump Station**

**Building Redesign
Exhibit A-5
Scope of Services
January 6, 2004**

The City of Milpitas engaged Carollo Engineers in 1997 to prepare construction contract documents for the Curtis Park Well Pump Station. Carollo completed the contract documents for this project in April 2001. Following the completion of the contract documents, Valley Transportation Authority (VTA) approached the City to relocate the Curtis Park Well Pump Station to make way for the BART rail extension. This relocation of the Curtis Park Well Pump Station is approximately 20 feet west and 45 feet south of the originally planned location in the ParcMetro development park. The City has requested that Carollo revise the contract documents to reflect the new location of the pump station. To accomplish this, we will complete the five tasks detailed below.

Task 1 - Prepare 50% Plans, Specification, and Estimate. We will prepare plans, specifications, and estimate of construction costs to update contract documents to reflect the new building location, including redesign of the pump station by rotating the building location so the doors are on the west side and the fuel tank is on the north side to accommodate the future VTA BART extension project. The building improvements will be constructed within a new City park, which will be completed by the Park Metropolitan development by October 2004. The Park improvements will be held back approximately 20 feet from all sides of the future building pad to allow for building construction. Completion of the tie-in landscape improvements around the building will be included as part of this project.

An existing City Benchmark, (ABE-CUR, Elev. 21.416, 1992 update, NGVD 1929 Datum) is located at the intersection of Abel Streets and Curtis Avenue for use with this project. This City will provide one set of Park construction as-built drawings, and one copy of the final well construction and testing summary (sent to Carollo 12/15/03). The redesign includes:

- Redesign of paving and grading and tie-in landscaping
- Redesign of mechanical and piping
- Redesign of electrical plans
- Redesign of the building

We will submit two (2) sets of plans specifications and estimate for City review.

Task 2 - Prepare 90% Plans, Specifications, and Estimate. Upon receipt of the City's comments to the 50% submittal (approximately a 3-week City review period assumed), Carollo will address those comments. We will return two (2) sets of 90% level plans, specifications, estimate, and responses to City comments to the 50% submittal.

Task 3 - Prepare 100% Plans, Specifications, and Estimate. Upon receipt of the City's comments to the 90% submittal (approximately a 3-week City review period assumed), Carollo will address those comments and return two (2) sets of 100% level plans, specifications, estimate, and responses to City comments to the 90% submittal. With this submittal, we will

request authorization from the City to seal and sign the contract documents for the City's use in bidding and construction of the project.

Task 4 - Meetings and Project Management. Under this task, we will control the work of the redesign effort. We will monitor project progress and budget versus expectations.

As requested by the City, we will meet with City staff to discuss the project. For the purposes of this scope of work, we anticipate one (1) meeting to be held following city's review of the 50% submittal materials.

Task 5 - Additional Services as Directed. Since the project has encountered some revisions brought about by an outside party, we have included a line item for Additional Services as Directed by City to provide means to accommodate additional work, unforeseen at this time, that is brought about due to needs to coordinate with VTA, or as otherwise required by City staff. We have allotted 40 hours for Additional Services as Required.

Task 6 - Monitoring System. This task includes providing a design for a system to monitor and pace the flow from the well which can be monitored and operated from the new well building utilizing the new PLC. A design for a water sampling station, anticipated to be located on Yosemite Drive within existing City right of way will also be provided. These designs will be completed with input from the City's Utility Engineering Section and in accordance with current Department of Health Services requirements. It is anticipated the sampling station will utilize the Steel Source MX series sampling station. The City will provide available record drawings of underground City utilities and street improvements at the proposed location of the new water sampling station.

Task 7 - Survey and TOPO. This task includes providing survey and topo of the existing surface conditions as may be necessary to complete the design of the new well building and related site improvements. A California licensed land surveyor will complete the survey work, and the City will provide available benchmark and datum information as noted in Task one above. Carollo will submit one copy of the final survey and topo plan sheet which will include contour lines and ground shot elevation points sufficient enough to determine the slope and characteristics of the existing surface conditions.

Preliminary Schedule

- Approval of this amendment anticipated on 1/20/05
- Developer starts and completes park construction: 4/04 to 10/04
- Well design work will be completed within the next 365 calendar days, but prior to the end of December 2004.
- City Plan Approval and authorization to advertise for bids: 1/5/05
- Advertising schedule: 1/13/05 & 1/20/05
- Bid Opening: 2/23/05
- Award: 3/15/05
- Contractor Notice to Proceed: 4/5/05
- Complete Construction: 4/5/06

Milpitas Well Building Redesign
1/6/2004

Exhibit B-5
Labor Hours and Direct Costs for
Carollo Engineers

	Estimated Labor Hours						Additional Costs				TOTALS			
	P/C	PM	Discipline Engineers	Engineer	Designer (ET VII)	Word Processing	Printing	Survey	Architect	PECE	LABOR HOURS	DIRECT LABOR COSTS	ADDITIONAL COSTS	TOTAL COST
Employee Labor Cost	\$195.00	\$177.00	\$177.00	\$163.00	\$112.00	\$73.00								
TASKS:														
Task 1 Prepare 50% Submittal	40	80	100	80	100	40	\$200		\$4,000	\$3,080	440	\$66,820	\$7,280	\$74,100
Task 2 Prepare 90% Submittal	40	80	40	40	40	16	\$200			\$1,792	256	\$41,208	\$1,992	\$43,200
Task 3 Prepare 100% Submittal	16	24	8	8	8	16	\$200			\$560	80	\$12,152	\$760	\$12,912
Task 4 Meetings & Project Management	16	24	8			8	\$50			\$392	56	\$9,368	\$442	\$9,810
Task 5 Additional Services as Directed by City	8	8	8	8	8	4	\$50			\$308	44	\$6,884	\$358	\$7,242
Task 6 Monitoring System & Sampling Station	8	24	40	40	40	4	\$50			\$1,092	156	\$24,180	\$1,142	\$25,322
Task 7 Survey and TOPO	2	8			4	2	\$50	\$5,000		\$112	16	\$2,400	\$5,162	\$7,562
SUBTOTAL	130	248	204	176	200	90	\$800	\$5,000	\$4,000	\$7,336	1,048	\$163,012	\$17,136	\$180,148
TOTAL HOURS - BASIC SERVICES	130	248	204	176	200	90								
TOTAL COSTS - BASIC SERVICES	\$25,350	\$43,896	\$36,108	\$26,688	\$22,400	\$ 6,570								
PECE: Project Equipment & Communication Charge														

Budget # _____

Refer # _____

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:				
<input checked="" type="checkbox"/> Budget Appropriation	401-9517076153575 400-2961	\$140,000 \$140,000	401-951707614800 400-3942	\$140,000 \$140,000
<input type="checkbox"/> Budget Transfer				

Explain the reason for the budget change:

On November 4, 1997, the City Council approved an agreement with Carollo Engineers to provide design services for the subject project. This project will construct a new potable water supply well for the purpose of supplying water in combination with the existing Pinewood Well in times of emergency. The new well will be located at the end of East Curtis Avenue within the City Park to be constructed by the Parc Metropolitan development.

The Valley Transportation Authority (VTA) requested that Milpitas revise the project due to a location conflict with their conceptual plan for the extension of BART. The VTA has agreed to reimburse the City for the cost to redesign the location of the well and well building not-to-exceed \$140,000. A budget appropriation for this change is necessary.

Approve the budget appropriation of \$140,000 to provide for the VTA requested design change for CIP 7076 - Well Upgrade .

☒ Check if City Council Approval required.

Meeting Date: January 20, 2004

Itemization of funds, if needed:			Amount
Requested by:	Division Head: <i>[Signature]</i>	Date:	
	Department Head:	Date:	
Reviewed by:	Finance Director: <i>[Signature]</i>	Date: 1/6/04	
Approved by:	City Manager:	Date:	
Date approved by City Council, if required:			Confirmed by: